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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

DAVID JIMMY LUCIO,)	CIVIL NO. 1:22-cv-00378-HBK
Plaintiff,)	
v.)	STIPULATION TO VOLUNTARY
KILOLO KIJAKAZI,)	REMAND PURSUANT TO SENTENCE
Acting Commissioner of Social Security,)	FOUR OF 42 U.S.C. § 405(g) AND TO
Defendant.)	ENTRY OF JUDGMENT; [PROPOSED]
)	ORDER
)	
)	

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

On remand, the Commissioner will further develop the record as necessary, and issue a new decision. The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

1 Dated: March 6, 2023

/s/ Jonathan Omar Pena*

JONATHAN OMAR PENA

Attorney for Plaintiff

**Authorized via e-mail on March 6, 2023*

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8 By: /s/ Mary Tsai

MARY TSAI

Special Assistant United States Attorney

Attorneys for Defendant

13 **ORDER**

14 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
15 42 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the
16 above-captioned action is remanded to the Acting Commissioner of Social Security for further
17 proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g),
18 sentence four. On remand, the Appeals Council will remand the case to an administrative law
19 judge for a new decision in accordance with the parties' Stipulation.

20
21 IT IS SO ORDERED.

22 Dated: **March 7, 2023**


UNITED STATES DISTRICT JUDGE